



APPLICATION ACCEPTED: June 6, 2014
BOARD OF ZONING APPEALS: December 3, 2014
TIME: 9:00 a.m.

County of Fairfax, Virginia

November 26, 2014

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-PR-093

PROVIDENCE DISTRICT

APPLICANT: Ruwani Ranatunga
DBA Acorn Montessori and Daycare

OWNERS: Ruwani Ranatunga

SUBDIVISION: Prosperity Heights

STREET ADDRESS: 8456 Van Court, Annandale, 22003

TAX MAP REFERENCE: 59-1 ((27)) 119

LOT SIZE: 9,760 square feet

ZONING DISTRICT: R-3C

ZONING ORDINANCE PROVISIONS: 8-305

SPECIAL PERMIT PROPOSAL: To permit a home child care facility.

STAFF RECOMMENDATION: Staff recommends approval of SP 2014-PR-093 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

Casey V. Gresham

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

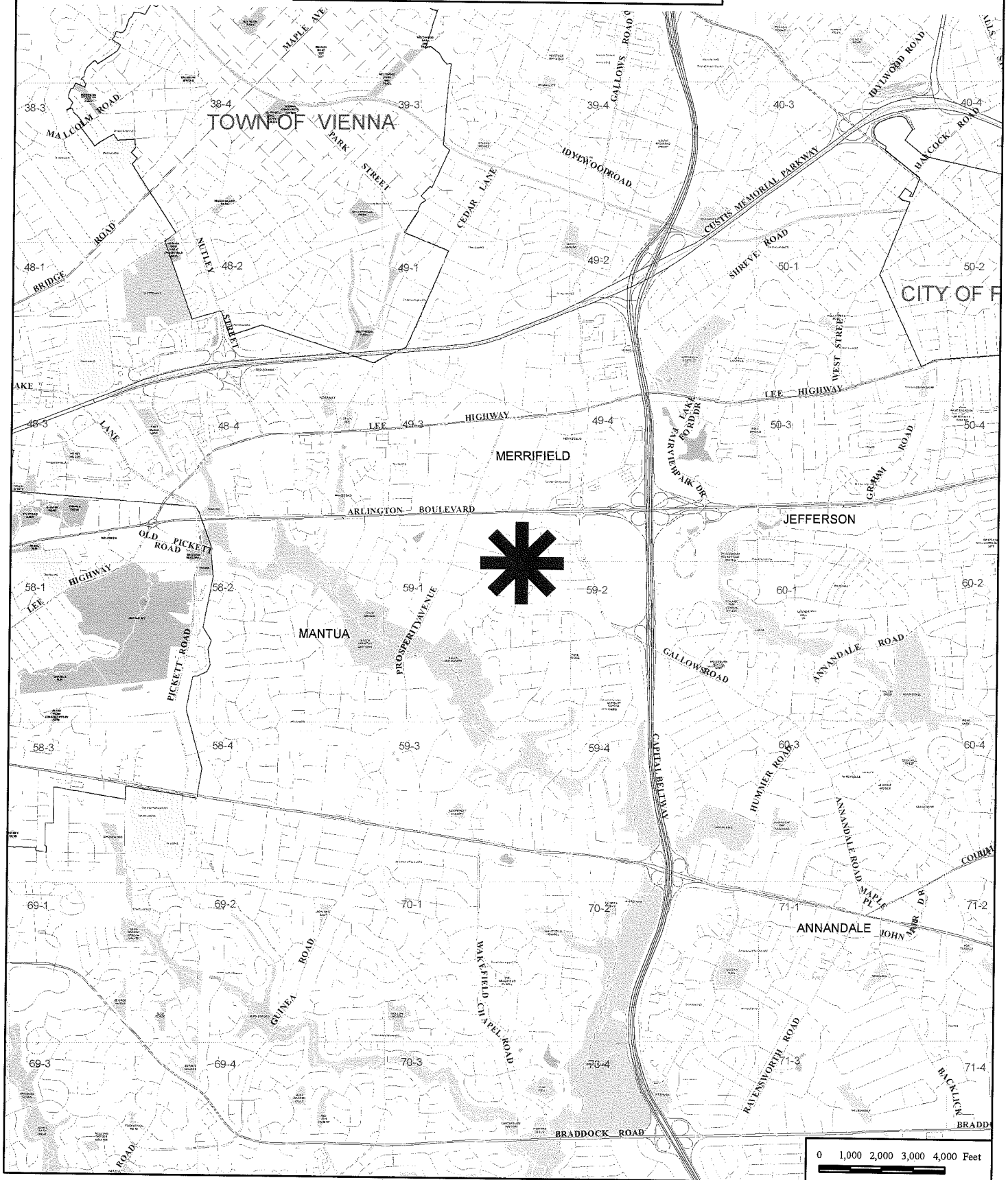


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2014-PR-093

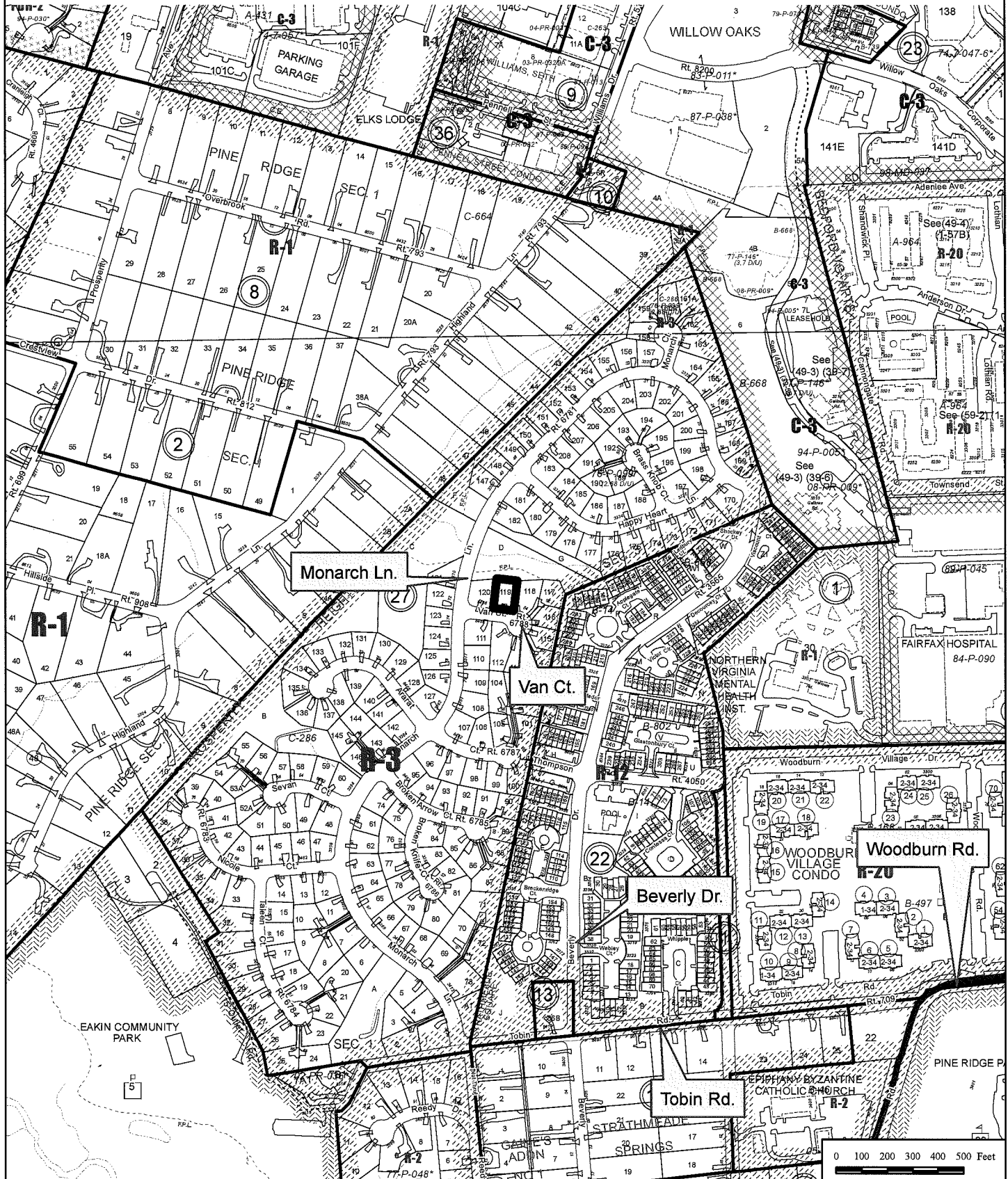
RUWANI RANATUNGA DBA ACORN MONTESSORI
AND DAYCARE



Special Permit

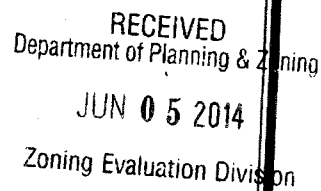
SP 2014-PR-093




RUWANI RANATUNGA DBA ACORN MONTESSORI
AND DAYCARE



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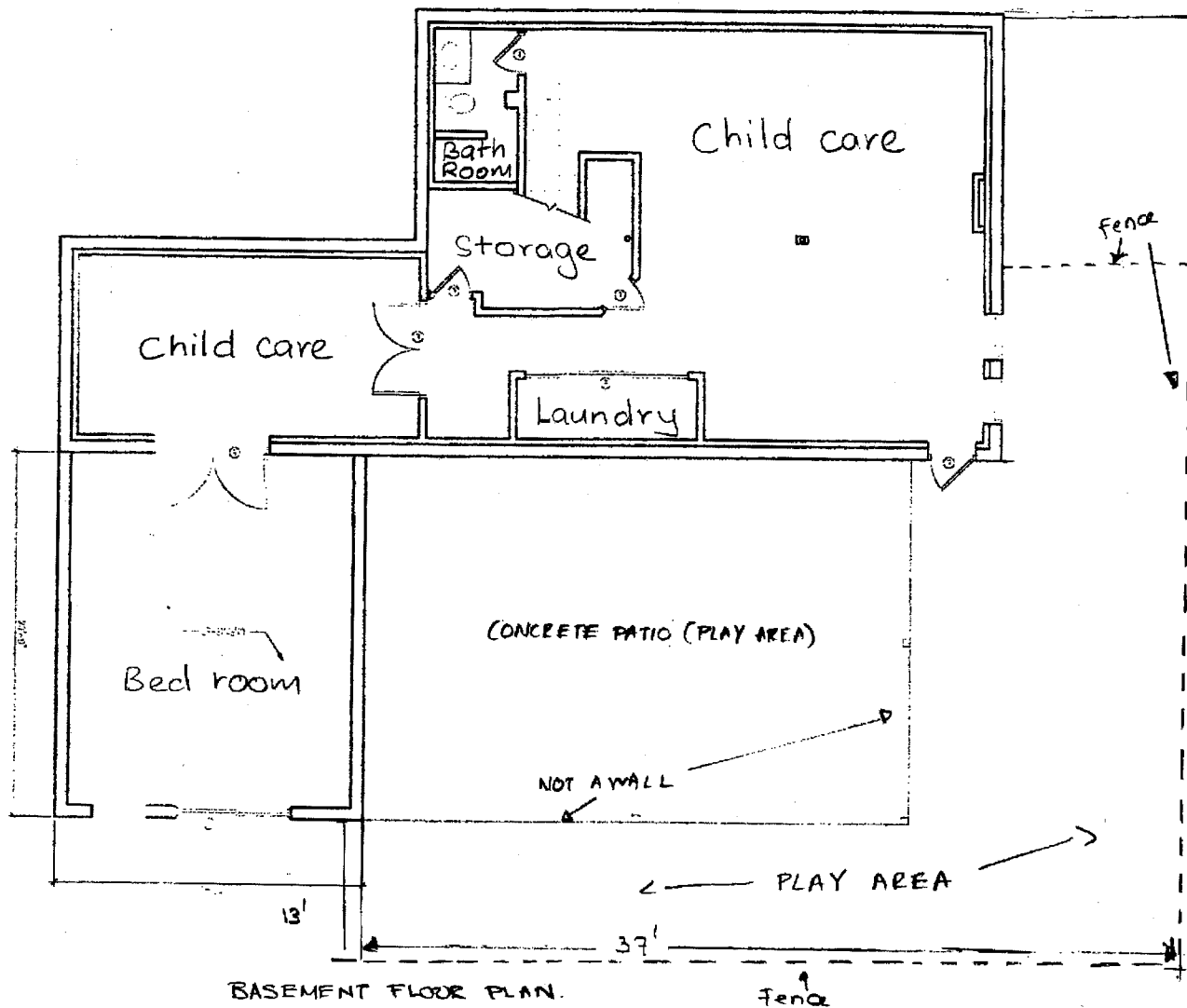
AN ENCROACH COURT



 DECK
 OUT DOOR
PLAY AREA
 UNDER THE DECK
PLAY AREA

RECEIVED
Department of Planning & Zoning
MAR 21 2011
Zoning Evaluation Division

Date: 9/10/13 (DEED BOOK 5358, PAGE 540)
ESRD Stormwater Reviewer: FAIRFAX COUNTY, VIRGINIA PROVIDENCE DISTRICT



* Total Square Footage = 1671 Sqft

Total Sqft Utilized by the Daycare = 1371 Sqft

RECEIVED
Department of Planning & Zoning
MAR 21 2014
Zoning Evaluation Division

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children.

A copy of the special permit plat, titled "Van Court, Plat Showing House Location on Lot 119, Section Two" prepared by Dominion Surveyors, Inc. on September 6, 2013, as revised by the applicant, Ruwani Ranatunga, through March 14, 2014, is included in the front of the staff report.

A more detailed description of the proposal is provided on page two.

Copies of the proposed development conditions, the statement of justification with select file photographs, and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The site is developed with a two story single-family detached dwelling. An asphalt driveway extends from the attached garage to Van Court, and a raised pathway provides access from the driveway to the main entrance. Additional gravel parking extends east of the dwelling. A concrete pathway connects the sidewalk in the front yard to the rear yard and the rear daycare entrance. This entrance is located under an elevated deck, and a play area also exists under this deck. A mulched play area is located in the western portion of the rear yard. A fence 3.5 feet tall encloses the rear yard, and an additional 3 foot tall fence encloses the patio play area. The rear yard and a portion of the dwelling exist within a Resource Protection Area.

The subject property and surrounding properties are zoned R-3 and developed with single family detached-dwellings.



Figure 1- Aerial photo of subject property

BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1982 and purchased by the property owner in 2001.

A permit was issued in January of 2014 for the open deck located in the rear yard, but at the time of publication of the staff report, the deck had not received a finalized inspection. It has passed inspections for footing and framing, but a finalized overall inspection is needed. The deck is not utilized for any part of the home child care. A condition has been included requiring a finalized inspection.

Records indicate that no other special permit or variance applications relating to a home child care have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

DESCRIPTION OF THE PROPOSED USE

The applicant requests approval of a special permit for a home child care facility for up to 12 children on-site at any one time between the hours of 7:30 a.m. and 5:30 p.m., Monday through Friday. The applicant has a staggered drop-off and pick-up time for the children. There are two full-time assistants; both assistants either take the bus or walk to the facility.

The applicant holds a current Family Day Home License, valid through September 27, 2015, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of twelve children, birth through 12 years of age. A copy of the license is included as Appendix 5.

The home child care facility is operated entirely in the basement of the dwelling, which contains two play areas and a nap room. A patio under the permitted deck as well as a mulched area are used for outdoor play. Pictures provided by the applicant show toys and movable play equipment located in this area.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area II, Fairfax Planning District
Planning Sector: Mantua Community Planning Sector (F2)
Plan Map: Residential, 2-3 du/ac

On-Site Parking and Site Circulation

The existing driveway and garage appear to be able to accommodate six vehicles: four vehicles in the driveway area, and two vehicles inside the garage. The applicant currently parks her vehicle in the driveway. The current assistants do not drive or park on-site. Therefore, three driveway spaces and ample street parking are available for drop-off and pick-up of children.

Vehicular access to the site is provided from an asphalt driveway from Van Court. As previously discussed, walkways connect the driveway and the sidewalk to the entrances of the home and home child care.

Zoning Inspection Branch Report

Staff found that adequate emergency egress was not provided for a room in the area that was utilized as a nap area. The Zoning Inspections Branch report is included in Appendix 6. During a site visit, it was determined that a bedroom in the basement not utilized for the home child care had adequate emergency egress and could become a nap area for the children. Therefore, the nap area is now located in this bedroom, as delineated on the floor plan. A development condition is included in Appendix 1 to address this issue.

Zoning Ordinance Requirements (Appendix 7)

- Sect. 8-006 General Special Permit Standards
- Sect. 8-303 All Group 3 Uses
- Sect. 8-305 Additional Standards for Home Child Care Facilities
- Sect. 10-103 Par. 6 Location Regulations

General Standards for Special Permit Uses (Sect. 8-006)

Standards 1 and 2 Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-3C District permits a home child care facility as an accessory use with special permit approval. The proposed use is in harmony with the Comprehensive Plan and the general purpose and intent of the R-3C District.
Standard 3 Adjacent Development	No new construction is proposed. An outdoor play area with play equipment is existing beneath the permitted deck and in the rear yard. In staff's opinion, the proposed use will not hinder or discourage use or development of neighboring properties or value.
Standard 4 Pedestrian/Vehicular Traffic	Arrival and departure times of the children are staggered, and in staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 5 Landscaping/Screening	Mature vegetation screens the play areas from the adjacent properties, and the rear of the site is densely forested. Staff believes this standard has been met.
Standard 6 Open Space	The proposed use will not encroach or impact the existing open space.

Standard 7 Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property or use. As previously discussed, the driveway and ample street parking would be used for parking for the home child care use.
Standard 8 Signs	Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.

Standards for all Group 3 Uses (Sect. 8-303)

Standard 1 Lot Size and Bulk Regulations	The lot size and bulk regulations for the subject property were previously satisfied with the development of the property. No new construction or exterior modifications are proposed.
Standard 2 Performance Standards	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
Standard 3 Site Plan	Home child care facilities are not subject to the provisions of Article 17, Site Plans.

Additional Standards for Home Child Care Facilities (Sect. 8-305)

Standard 1 Maximum of 12 Children & Non-Resident Employee	The applicant is proposing a maximum of 12 children at any one time, which does not exceed the maximum number of children permitted at any one time. The applicant requests two non-resident employees.
Standard 2 Access and Parking	Arrival and departure times of the children are staggered and parking is available in the driveway and along Van Court. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 3 Landscaping/Screening	There is an existing 3.5-foot tall board-on-board fence in the rear yard and existing trees that provide screening to the outdoor play area.
Standard 4 Submission Requirements	The applicant met all submission requirements for a Home Child Care Facility.
Standard 5 Code of Virginia, Title 63.2, Chapter 17	The applicant has a valid home child care license as outlined in a previous section.

Use Limitations (Par. 6 of Sect. 10-103)

Part A Maximum Number of Children	The maximum number of children permitted by-right at any one time is seven in a single family detached dwelling. The applicant requests special permit approval to permit a maximum of twelve children at any one time.
Part B Licensed Provider/Primary Residence	The applicant is a state licensed home child care provider and the subject property is the provider's primary residence.
Part C No Exterior Evidence Except Play Equipment	There is no exterior evidence of the proposed use.
Part D	The applicant is proposing two non-resident persons paid or unpaid.

Non-Resident Employee	Staff is proposing a development condition to allow two non-resident employees.
Part E Provider is a Non-Resident	The provider is a resident.
Part F Code of Virginia, Title 63.2, Chapter 17	Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensure and registration procedures. The applicant has a valid state home child care license.
Part G Increase in Children or Non-Resident Person	The maximum number of children permitted by-right at any one time is seven in a single family detached dwelling and can be increased to up to 12 children with special permit approval. The applicant requests special permit approval to permit a maximum of twelve children at any one time.

CONCLUSION

Staff believes that the subject application is in conformance with the applicable Zoning Ordinance provisions with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

RECOMMENDATION

Staff recommends approval of SP 2014-PR-093 for the home child care facility with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Statement of Justification and Select File Photographs
3. Applicant's Affidavit
4. Issued Building Permit
5. State Family Day Home License
6. Zoning Inspections Branch Comments
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-PR-093****November 26, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-PR-093 located at Tax Map 59-1 ((27)) 119 to permit a home child care facility pursuant to Section 8-305 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Ruwani Ranatunga, d.b.a. Acorn Montessori and Daycare, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 8456 Van Court, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, "Van Court, Plat Showing House Location on Lot 119, Section Two" prepared by Dominion Surveyors, Inc. on September 6, 2013, as revised by the applicant, Ruwani Ranatunga, through March 14, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The hours of operation of the home child care facility shall be limited to 7:30 a.m. to 5:30 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
7. All pick-up and drop-off of children shall take place in the driveway.
8. The dwelling that contains the child care facility shall be the primary residence of the applicant.
9. There shall be no signage associated with the home child care facility.
10. The applicant shall only utilize areas with acceptable emergency egress as napping rooms in the home child care facility.

11. Approval of this use is contingent upon maintenance of a state license for the home child care for up to 12 children.
12. Until the deck passes state building code inspections, it shall not be used for the home child care, including but not limited to use as a play area or access to the rear yard.

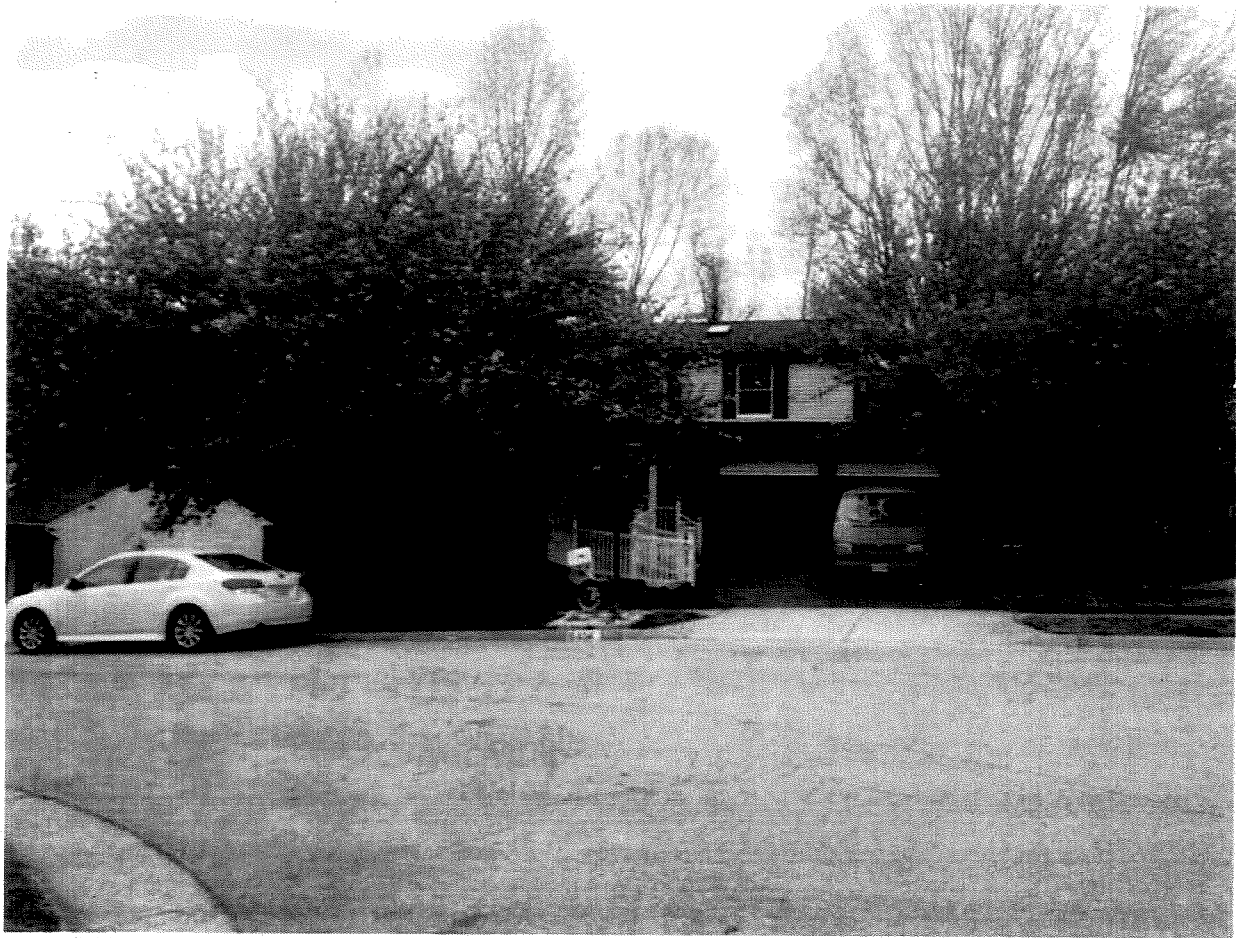
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

SPECIAL PERMIT STATEMENT OF JUSTIFICATION

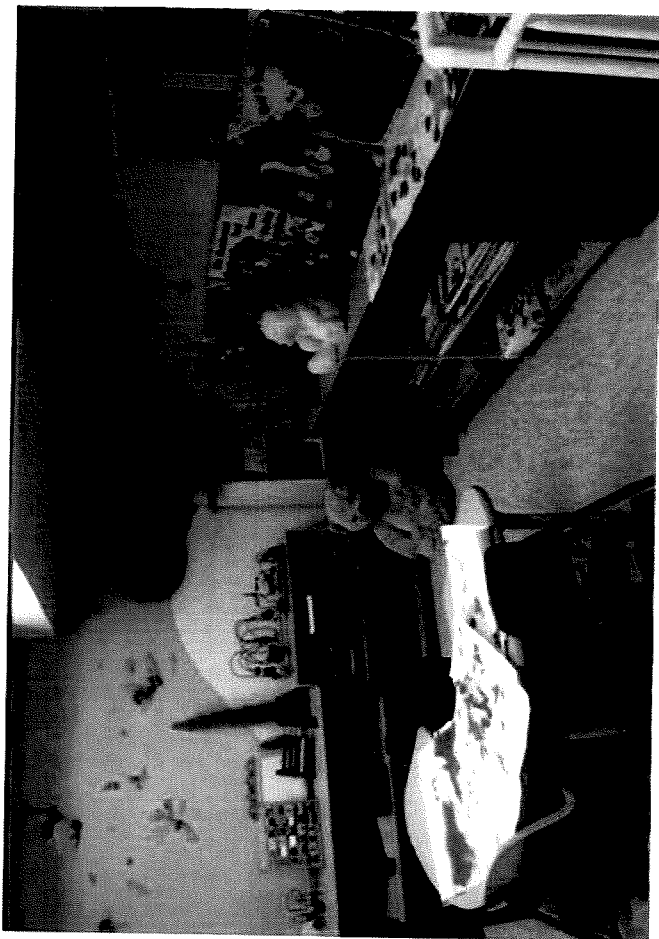
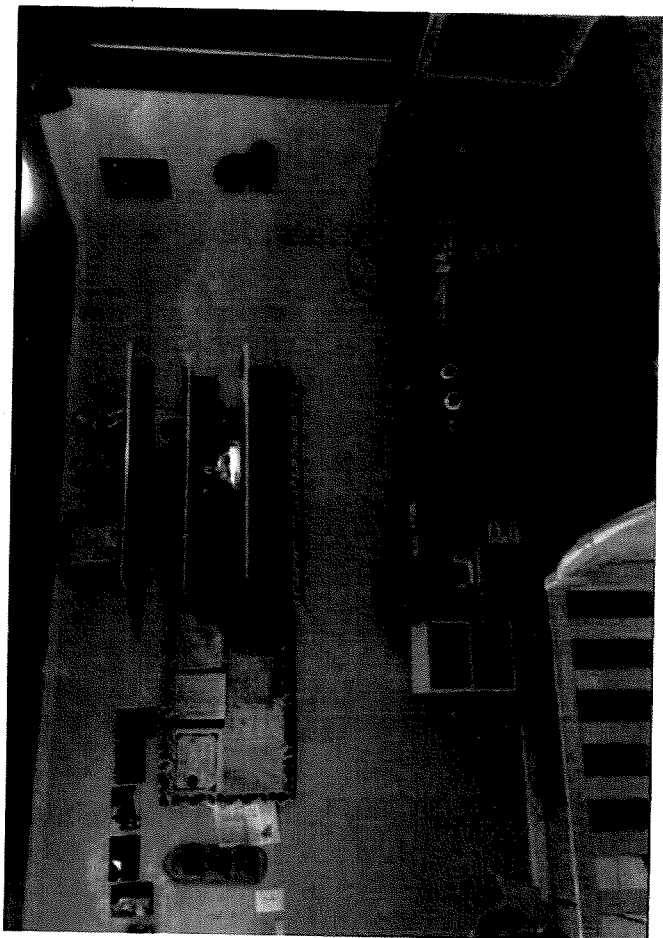
- A. Type of operation
 - a. Home family daycare. Have been operating the daycare for 15 years. Applicant is the owner of the home.
- B. Hours of operation.
 - a. 7:30 AM – 5:30 PM
- C. Estimated number of clients.
 - a. Twelve clients
- D. Proposed number of employees/teachers.
 - a. Three full time employees including the applicant
- E. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day.
 - a. Estimated traffic impact should be normal. The maximum amount of traffic impact would be during the hours of 7:30 AM and 9:00 AM and 5:00 PM and 5:30 PM. Even at this time the estimated traffic impact is normal because the parents arrive at different intervals. Parking has been of no issue because the driveway and side street are available for parking. At any given time 4 cars can be parked in the driveway.
- F. Vicinity or general area to be served by the use.
 - a. The basement of the home and the backyard surrounded by a fence. The front yard with the driveway is used for parking by clients. The right side of the house as well as the left side have private homes partitioned by a fence. The front of the home is on Van court. The backyard of the home faces the woods and is partitioned with a wood fence.
 - b. About 50% of the children are residents of the neighborhood.
- G. Description of building façade.
 - a. The home is a three story single family home. The top most floors have four bedrooms and three bathrooms. The middle floor has a bedroom, two bathrooms, kitchen, living room, dining room and a second formal living room. The basement which is used for the daycare is a finished basement with an attached bathroom and room. The house has central heating and A/C.
- H. A listing, if known, of all hazardous or toxic substances.
 - a. Water, sewer and gas connected
- I. A statement of how the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standard and any applicable conditions, or, if any waiver, exceptions or variance is sought by the applicant from such ordinances, regulations, standard and conditions, such shall be specifically noted with the justification for any such modification.
 - a. I have been operating a family home daycare for the past 15 years in the same location with no complaints or obstructions.

RECEIVED
 Department of Planning & Zoning
 MAR 21 2014
 Zoning Evaluation Division











Application No.(s): _____
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/6/14
 (enter date affidavit is notarized)

I, Ruwani Ranatunga, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) ☒ applicant
☐ applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Ruwani Ranatunga d/b/a Acorn Montessori and Daycare	8456 Van Cl Annandale VA 22003	Applicant/ title owner

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

CAB

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/6/14
(enter date affidavit is notarized)

124858

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

N/A

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

N/A

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/6/14
(enter date affidavit is notarized)

124858

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner**, **Limited Partner**, or **General and Limited Partner**)

N/A

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____

(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/6/14
(enter date affidavit is notarized)

12488

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s):

(county-assigned application number(s), to be entered by County Staff)

Page Five

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/6/14
(enter date affidavit is notarized)

124858

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☒ Applicant

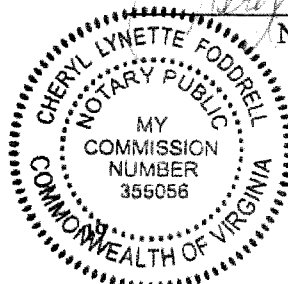
☐ Applicant's Authorized Agent

Ruwani Ranatunga
(type or print first name, middle initial, last name, and title of signee)

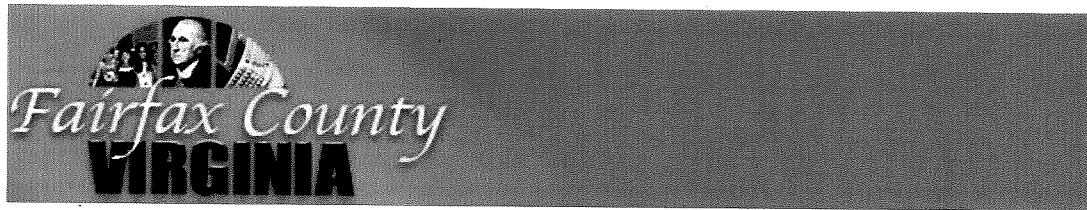
Subscribed and sworn to before me this 6 day of May, 20 14, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: Oct 30, 2017

Cheryl Lynette Fodrell
Notary Public



CAB

**Land Development Information History: FIDO - DECK - 132400243****Permit Information**

Permit Number: 132400243
Permit Type: DECK
Job Address: 008456 VAN CT
ANNANDALE , VA 22003-1173
Subdivision: PROSPERITY HEIGHTS
Magisterial District: PROVIDENCE
AP (Tenant) Name: RUWANI
Application Date:
Tax Map: 9-1 ((27)) 0119
Permit Status: Permit Issued

Work Description: BUILD OPEN DECK NO STAIRS NO HOT TUB PER COUNTY DETAIL
Type of Work: DECK
Building Use: SFD - SINGLE FAMILY DWELLING
Standard: IR09 - IRC 2009

Plan Number: N-13-4407

Owner Information

Owner: RANATUNGA RUWANI
Address: 8456 VAN CT 8456 VAN CT
City: ANNANDALE State: VA Zip: 2200322003

Inspection - R FOOTING - FOOTING INSPECTION - 6427129

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FOOTING	2014-07-24	GEORGE FORD	N	Passed	NO	existing patio does have continuous grade beam at perimeter/ ok to attach additional posts to slab

Inspection - R FOOTING - FOOTING INSPECTION - 6147551

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FOOTING	2013-09-27	BRYANT WILKERSON	N	Passed	NO	

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VIRGINIA DEPARTMENT OF SOCIAL SERVICES

Ruwani Ranatunga

8456 Van Court

ANNANDALE, VA 22003

(703) 208-1778

Facility Type: Family Day Home

License Type: One Year

Expiration Date: Sept. 27, 2015

Business Hours: 7:30 a.m - 5:30 a.m.

Monday - Friday

Capacity: 12

Ages: Birth - 12 years 11 months

Inspector: Keesha Minor
(703) 934-7301



County of Fairfax, Virginia

MEMORANDUM

Date: October 10, 2014

To: Casey Gresham, Planner I
Zoning Evaluation Division

From: Dawn Curry
Senior Zoning Inspector
Zoning Inspection Branch

Subject: Home Child Care

Applicant: Ruwani Ranatunga

8456 Van Court, Annandale, Virginia 22003

Prosperity Heights, Lot 119, Sec 2

Tax Map# 59-1 ((27)) 0119 Zoning District: R-3C(R-3 w/Cluster Dev)

Magisterial District: Providence

Mail Log # 2014-0430

Date of Inspection: October 9, 2014

KEY: A "✓" mark in a box indicates that the item was deficient. An unmarked box indicates that no violation was found.

- ✓ Rooms used for sleeping must provide two means of exit, one which leads directly to the outside, as required by the Virginia Uniform Statewide Building Code. (32-12-30.)
 - * The baby's sleeping area is lacking the required emergency egress. The sleeping area has interior French doors with a double keyed deadbolt lock.
 - Recommended the sleeping area be relocated to the adjacent room which has required egress.

- ☐ An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.

- ☐ All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.

All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.

* The interior French doors have a double keyed deadbolt lock.

- ☐ Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.
- ☐ Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.
- ☐ A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.
- ☐ A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.
- ☐ Structures comply with the Zoning Ordinance.

* The property has a rear deck and covered patio play area

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

8-305 Additional Standards for Home Child Care Facilities

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.

4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
 - A. The dimensions, boundary lines and area of the lot or parcel.
 - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
 - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
 - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

10-103 Use Limitations

6. The following use limitations shall apply to home child care facilities:
 - A. The maximum number of children permitted at any one time shall be as follows:
 - (1) Seven (7) when such facility is located in a single family detached dwelling.
 - (2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.

The maximum number of children specified above shall not include the provider's own children.

- B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation. Notwithstanding the above, a substitute care provider may operate a home child care facility in the absence of the provider for a maximum of 240 hours per calendar year.

- C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play equipment and other accessory uses and structures permitted by this Part shall be allowed.
- D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.
- E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.
- F. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.
- G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8.